
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

COMMODITY FUTURES TRADING
COMMISSION, and

STATE OF UTAH DIVISION OF
SECURITIES, through Attorney General
Sean D. Reyes,

Plaintiffs,
v.

RUST RARE COIN INC., a Utah corporation,
GAYLEN DEAN RUST, an individual,
DENISE GUNDERSON RUST, an individual,
and JOSHUA DANIEL RUST, an individual,

Defendants;

and

ALEESHA RUST FRANKLIN, an individual,
R LEGACY RACING INC, a Utah
corporation, R LEGACY ENTERTAINMENT
LLC, a Utah limited liability company, and R
LEGACY INVESTMENTS LLC, a Utah
limited liability company,

Relief Defendants.

**ORDER ESTABLISHING PONZI
OBJECTION PROCEDURE**

Case No. 2:18-cv-00892-TC-DBP

District Judge Tena Campbell
Chief Magistrate Judge Dustin B. Pead

On March 15, 2022, Jonathan O. Hafen, the court-appointed Receiver in the above-captioned matter, filed a Motion for Ponzi Determination and to Establish an Objection Procedure. (ECF No. 448.) As its name suggests, the Motion asks for two things. The Receiver seeks a court determination that an investment program operated by Receivership Defendants was a Ponzi scheme since at least 2008. The Receiver also asks the court to adopt its prior summary disposition procedure (ECF No. 165) to allow for objections and to decide the Ponzi-

scheme issue. Having considered the Motion, the court will adopt its summary disposition procedure to decide the Ponzi-scheme issue, and it will defer deciding that issue pending the following objection procedure. The court ORDERS as follows:

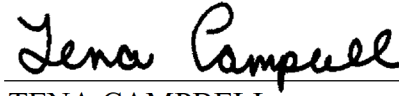
1. Any interested party wishing to object to the Receiver's Motion shall submit such objection in writing directly to the Receiver within thirty days of entry of this Order.
2. The Receiver shall provide copies of all objections received to Plaintiffs.
3. If an objecting party specifically requests discovery, the parties shall have an additional thirty days to complete such discovery, which will be conducted in accordance with the Federal Rules of Civil Procedure with the exception that written discovery must be responded to within fifteen days. Either side may seek relief from the court if the requested discovery is unduly burdensome or not proportional to the issues being determined. Any such discovery will be subject to the standard protective order.
4. After the deadline for objections passes and any specifically requested discovery is completed, the Receiver shall lodge all objections with the court and request a hearing at which such objections may be considered.
5. If an evidentiary hearing is required, the Receiver may request additional deadlines related to the disclosure of witnesses and exhibits as needed.
6. The Receiver and Plaintiffs may file a response to any objection five days prior to the hearing.

DATED this 30th day of March, 2022.

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BY THE COURT:

A handwritten signature in black ink that reads "Tena Campbell". The signature is written in a cursive style with a large, looped 'T' and 'C'.

TENA CAMPBELL
United States District Judge